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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

CHRISTOPHER N. VISHER and
INHERITANCE LOAN COMPANY, a
California joint venture partnership,

Plaintiffs,

v.

ERIK J. ROSE and INHERITANCE
LOAN, LLC., a Puerto Rican LLC,

Defendants.

No. 3:18-cv-02472-SK

**ORDER GRANTING PLAINTIFFS'
MOTION FOR LEAVE TO TAKE
IMMEDIATE DISCOVERY FROM
COMCAST CABLE
COMMUNICATIONS, LLC**

Case filed: April 25, 2018
Courtroom: C, 15th Fl.
Hon. Sallie Kim

Good cause appearing therefore, as required by Rules of Federal Procedure Rule
26(d)(1), PLAINTIFFS' MOTION FOR SUPPLEMENTAL EXPEDITED DISCOVERY re:
Comcast is **GRANTED**. It is hereby:

ORDERED that Plaintiffs may serve immediate discovery on Comcast Cable
Communications, LLC ("Comcast") to obtain the identity and address of the subscriber assigned
telephone number 510-735-9846 by serving a subpoena pursuant to Rule 45 of the Federal Rules
of Civil Procedure requesting subscriber information; provided, however, that said discovery
shall be conditioned on: (a) Comcast having seven (7) calendar days after service of the

1 subpoena to notify subscribers that their identity is sought by Plaintiffs; (b) each subscriber
2 whose identity is sought having twenty one (21) calendar days from the date of such Comcast
3 notice to file any papers contesting the subpoena; and (c) payment to Comcast by Plaintiffs of all
4 reasonable costs of: (i) compiling the requested information; (ii) providing pre-disclosure
5 notifications to subscribers; and (iii) all other reasonable costs and fees incurred responding to
6 discovery. Comcast may provide notice using any reasonable means, including but not limited to
7 written notice sent to the subscriber's last known address, transmitted either by first class mail or
8 via overnight service.

9 IT IS FURTHER ORDERED THAT any information disclosed to Plaintiffs in response
10 to the subpoena issued under Rule 45 of the Federal Rules of Civil Procedure may be used by
11 Plaintiffs' solely for the purpose of protecting Plaintiffs' rights as enumerated in the Complaint.

12 IT IS FURTHER ORDERED THAT any subpoena issued pursuant to this order shall be
13 deemed an appropriate court order under 47 U.S.C. § 551.

14 IT IS FURTHER ORDERED THAT good faith attempts by Comcast to notify the
15 subscriber(s) shall constitute compliance with this order.

16 Date: January 7, 2019
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20 Sallie Kim, U.S. Magistrate Judge
21 U.S. District Court
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